

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 914 OF 2006
IN
APPEAL FROM ORDER No. 391 OF 2000

Khalid Khan Yakub Khan .. Petitioner
versus
Municipal Corporation of Gr.
Bombay & anr. .. Respondents

...

Mr.A.N. Mulla for the applicant.
Mrs.Geeta Jogalekar for the BMC.

CORAM : D.G. KARNIK, J

DATED : 7th October 2006

P.C.:

1. Heard learned counsel for the applicant and respondent.
2. This Civil Application has been filed for the purpose of restoration of the appeal which was

dismissed under Order 41 Rule 17 of the Code of Civil Procedure. In paragraph no.2 of the affidavit, it is stated that the board was not functioning properly and therefore, wrong matter was shown on the board and therefore, advocate was not present when the matter was called out.

3. For the reasons stated in paragraph no.2 of the civil application, it is allowed in terms of prayer clause (a).

(D.G. KARNIK, J)